IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 482 OF 2007

Jagatsingh Gurow.... ... ... Appellant.
Versus
Indian Hotels Co. Ltd..... ... Respondent.

Mr.Ramesh Patil i/by M/s.Ajay Mishra & Co.,
for the Appellant.
Mr.C.U.Singh with Ms.Geetanjali Prabhu i/by M/s.Mulla
& Mulla & C.B.& Caroe for the Respondent.

CORAM : SWATANTER KUMAR, C.J. &
SMT.RANJANA DESAI, J.

DATED : 23RD JULY, 2007.

P.C.:

After some arguments were heard on the order under appeal, learned Counsel appearing for the appellant submits that he would have no grievance against the order impugned in the present appeal provided the question of authority of the Manager to terminate the services of the appellant is kept open and the Labour Court is required to decide the said issue. Learned Counsel appearing for the respondent submits that while maintaining the question of perversity and fairness of the inquiry in favour of the respondent, this question may be gone into by the Labour Court in the course of final disposal of the case.

2. In view of the common stand taken by the learned Counsel for the parties, the appeal is disposed of in terms aforesaid. The Labour Court will not now go into the question of perversity and fairness of the inquiry but shall decide the question of authority of the Manager to pass order of termination.

3. Appeal is, accordingly, disposed of, while leaving the parties to bear their own costs.

Sd/-

CHIEF JUSTICE

Sd/-

SMT.RANJANA DESAI, J.